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# **EXHIBIT D**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

PAULA PAGONAKIS,	)	CASE NO. 06-027 SLR
	)	
Plaintiff,	)	
v.	)	
	)	
EXPRESS, LLC, a/k/a	)	
LIMITED BRANDS, INC.,	)	
	)	
Defendant.	)	

DECLARATION OF ROSIE ROCK PURSUANT TO 28 U.S.C. § 1746

Declarant, having been first duly cautioned and sworn, having personal knowledge of the facts stated herein, and being of legal age and of sound mind and memory, does hereby declare as follows:

1. My name is Rosie Rock. I am the Human Resources Manager for Defendant Express, LLC ("Defendant").
2. In my capacity as the HR Manager, I have access to information concerning prior complaints made by employees through the ethics hotline.
3. After Plaintiff Paula Pagonakis ("Plaintiff") commenced legal action against Defendant, a search of the ethics calls was completed.
4. Other than one complaint made by Plaintiff in 2004 concerning the reporting of associate hours, to my knowledge, there were no other complaints made by Plaintiff. A true and accurate copy of that complaint is attached as Exhibit A.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on 4/30/07

  
ROSIE ROCK

**Ethics and Compliance Hotline****General Information**

<b>Caller Name:</b> PAULA PAGONAKIS	<b>Client Name:</b> Limited Brands, Inc.	<b>Report #:</b> 404212206
<b>Type:</b> Former Employee	<b>Location #:</b> 340	<b>Priority:</b> 2
<b>Title:</b> CO MANAGER	<b>DBA:</b> Express	<b>Trans #:</b> 1
<b>Phone:</b> (302)376-9858	<b>Address:</b> DB-CHRISTIANA MALL - 715 CH	<b>Rpt Date:</b> 04/21/2004
<b>Best Time to Call:</b> ANYTIME	<b>City,State,Zip:</b> NEWARK - DE 19702	<b>Time:</b> 02:49PM
<b>Email:</b>	<b>Phone:</b>	<b>Origin:</b> Phone Call

**Summary Information**

<b>WHO:</b>	Caller, PAULA PAGONAKIS, reported :
<b>WHAT:</b>	Theft of Time
<b>WHEN:</b>	ONGOING FOR THE PAST YEAR OR MORE
<b>WHERE:</b>	STORE

**Incident Description****4/21/2004 2:49:00 PM - Original Call**

Caller, PAGONAKIS, reported \_\_\_\_\_ comes to work excessively late on a regular basis. She then instructs the co managers, \_\_\_\_\_, to edit her time sheet to reflect her arriving hours earlier than she actually does.

On one occasion, (unsure of exact date), \_\_\_\_\_ asked PAGONAKIS to change her time, since she cannot do it for herself, and PAGONAKIS refused. \_\_\_\_\_ ever asked her again. Instead, she'd ask another co manager to edit it for her.

PAGONAKIS said that \_\_\_\_\_ violating the company's policy by having her time changed. BOSLEY doesn't stay after her scheduled time to leave. Therefore, she cannot make up the excuse that she's late because she stays later the previous evening. She works less hours than she is scheduled.

PAGONAKIS feels \_\_\_\_\_ Y is stealing company time. PAGONAKIS hopes that this is investigated, and corrective action is taken if the company sees fit.

**How does the caller know about the incident?:** Witnessed

**What documentation is available?:** Review time sheets that show the hours being edited. PAGONAKIS said that about 50% of her time has been changed.

**Involved Parties****Reported Individuals:**

**Name:**

**Title:**

**Management Notified:** NO

**Involved/Aware Parties :** YES

**Name:**

**Title:** CO MANAGER

**Role:**

**Name:** C

**Name:** I

**Name:** F

**Supplemental Information**

**How does caller know about hotline:** Poster

**Interviewer Observations:**



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LIMITED BRANDS, INC.

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**Division Information**

What division do you work for?

Express

**Client Instructions**

No callback arrangements have been made for this individual. The caller has provided his/her name and number indicating an interest in discussing this matter with a company representative. To ensure program integrity, please contact the caller as soon as possible.

**Conditions:**

The information contained in this report was provided by a third party source. The Network, Inc. does not verify the accuracy or the correctness of the information contained in this report. Accordingly, Limited Brands, Inc. will hold harmless and indemnify The Network, Inc. from any claims or demands resulting from action Limited Brands, Inc. takes based on information contained in incident report #404212206, or Limited Brands, Inc.'s failure to secure information contained in this report after receipt.

If you have questions, concerns or updates such as escalation and/or dissemination instructions relative to our service or this incident report please contact us at "clientcommunication@tnwinc.com".